Rules and Regulations

Title 26—INTERNAL REVENUE

Chapter I-Internal Revenue Service, Department of the Treasury

> SUBCHAPTER A-INCOME TAX [T.D. 69261

PART 1-INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEM-BER 31, 1953

Date of Sale in the Case of Short Sales of Stock or Securities at a Loss

Paragraph 3 of F.R. Doc. 67-9300, 32 FR. 11468, should read as follows:

PAR. 3. The amendment is effective for taxable years beginning after December 31, 1953, and ending after August 16, 1954, except that the special rule treating the date of entering into a short sale as the date of sale shall be applied only in the case of short sales entered into after May 2, 1967.

Title 14—AERONAUTICS AND SPACE

Chapter I-Federal Aviation Administration, Department of Transportation

[Docket No. 7927, Amdt. 39-506]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corp. Model BAC 1-11 200 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring the modification of the No. 2 Auxiliary Hydraulic System Thermal Relief Value to provide a thermal relief device on British Aircraft Corp. Model BAC 1-11 200 Series airplanes was published in 32 F.R.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), 139.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRITISH AIRCRAFT. Applies to Model BAC 1-11

200 Series airplanes.

Compliance required as indicated, unless already accomplished.

To prevent failure of the Thermal Relief Valve installed in the No. 2 Auxiliary Hydraulic Power System, introduced by Modification PM 1653, and to provide an adequate thermal relief device in all airplanes, accomplish the following:

(a) For Post Modification PM 1653 airplanes, within the next 200 hours' time in service after the effective date of this AD, and thereafter at intervals not to exceed 200 hours' time in service from the last inspection, check No. 2 Auxiliary Hydraulic System Thermal Relief Valve for satisfactory functioning in accordance with BAC One-Eleven Service Bulletin 29-A-PM 2758, Issue 2, or later ARB-approved Issue, or PAA-approved equivalent

(b) For Post Modification PM 1653 airplanes, within the next 600 hours' time in service after the effective date of this AD and thereafter at intervals not to exceed 600 hours' time in service from the date of the last inspection or when a low maximum pres sure is indicated in the No. 2 Auxiliary Hydraulic System or emergency elevator power system, conduct a bench test of Thermal Relief Valve P/N AIR 91186/2 in accordance with British Aircraft Corp., Ltd., BAC One Eleven Alert Service Bulletin No. 29-A-PM Issue 2, or later ARB-approved issue, or FAA-approved equivalent.

(c) If defective parts are found during the inspections provided for in paragraphs (a) and (b), either modify the hydraulic system in accordance with paragraph (d), or replace the defective part with a serviceable P/N AIR 91186/2 and continue the inspections required by paragraphs (a) and (b).

(d) For Post Modification PM 1653 airplanes, within the next 1,800 hours' time in service after the effective date of this AD, remove Thermal Relief Valve P/N AIR 91186/ Conduit Guide P/N AB58A3967, and Pipe P/N AB58/48/2675, and rework Lockheed Non-Return Valve P/N 91178 to the standard of Choke Valve Assembly P/N AB48A1427 in accordance with British Aircraft Corp., BAC One-Eleven Service Bulletin No. 29-PM 2758, Part C, or FAA-approved equiv-

(e) For Pre Modification PM 1653 airplanes, within the next 1,800 hours' time in service after the effective date of this AD, rework Lockheed Non-Return Valve P/N AIR 91178 to the standard of Choke Valve Assembly P/N AB48A1427 in accordance with British Aircraft Corporation, Ltd., BAC One-Eleven Service Bulletin No. 29-PM 2758, Part B, or FAA-approved equivalent.

(f) The repetitive inspections required by paragraphs (a) and (b) of this AD may be discontinued when modifications in accordance with paragraph (d) of this AD have been accomplished.

This amendment becomes effective December 4, 1967.

Issued in Washington, D.C., on October 30, 1967.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

EDWARD C. HODSON, Acting Director, Flight Standards Service.

[P.R. Doc. 67-13049; Filed, Nov. 3, 1967; 8:47 a.m.]

[Docket No. 8346; Amdt. 39-507]

PART 39-AIRWORTHINESS DIRECTIVES

British Aircraft Corp. Model BAC 1-11 200 and 400 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring periodic inspection of the lower sidestay pin retaining bolts for cracks on British Aircraft Corp. Model BAC 1-11 200 and 400 Series airplanes was published in 32 F.R. 12066.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89). § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRITISH AIRCRAFT. Applies to Model BAC 1-11 200 and 400 Series airplanes which incorporate Modification PM 1558 part (c)

Compliance required as indicated unless already accomplished.

To prevent fatigue damage of the lower sidestay pin retaining bolt, P/N AC43-267, accomplish the following:

(a) Within the next 200 landings after the effective date of this AD or before the ac-cumulation of 5,000 landings, whichever occurs later, and thereafter at intervals not to exceed 5,000 landings from the last inspection, inspect the main landing gear lower sidestay retaining bolts, P/N AC43-267, for cracks, using the magnetic particle pro-cedure or an FAA-approved equivalent, in accordance with British Aircraft Corp. BAC 1-11 Alert Service Bulletin 32-A-PM 2898, Issue 1, dated April 14, 1967, or later ARB-approved issue, or an FAA-approved equiva-

(b) If defective retaining bolts, P/N AC43-267, are found during the inspection required by paragraph (a), before further flight replace the bolts with serviceable bolts of the same part number or new bolts, P/N AC43-399, in accordance with BAC 1-11 Service Bulletin No. 32-PM 2898 Revision 1, dated April 10, 1967, or later ARB-approved issue, or an FAA-approved equivalent

(c) Before the accumulation of 15,000 landings, replace retaining bolts, P/N AC43-267, with serviceable bolts of the same part number or new bolts, P/N AC43-399. If bolts P/N AC43-267 are used as replacement bolts. inspect the bolts at intervals not to exceed 5,000 landings in accordance with paragraph (a) and replace the bolts at intervals not to exceed 15,000 landings

(d) The repetitive inspections and replacements required by paragraphs (a) and (c) may be discontinued after the new bolts, P/N AC43-399, are installed, Retaining bolt P/N AC43-399 does not have a service life (e) For the purpose of complying with this AD, subject to acceptance by the assigned FAA maintenance inspector, the number of landings may be determined by dividing each airplane's hours' time in service by the operator's fleet average time from takeoff to landing for the airplane type.

This amendment becomes effective December 4, 1967.

Issued in Washington, D.C., on October 30, 1967.

(Secs. 313(a), 601, 603, Pederal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

EDWARD C. HODSON, Acting Director, Flight Standards Service.

[F.R. Doc. 67-13050; Filed, Nov. 3, 1967; 8:47 s.m.]

[Docket No. 8065; Amdt. 91-46]

PART 91—GENERAL OPERATING AND FLIGHT RULES

Noise Abatement Rules

The purpose of this amendment is to include all large and all turbine-powered airplanes within the class of aircraft to which the noise abatement rules apply, to omit the written report required from pilots by § 91.87(g), and to make minor editorial changes clarifying the intent of these rules.

The substance of this amendment was published as a notice of proposed rule making in the FEDERAL REGISTER on March 29, 1967 (32 F.R. 5559), and circulated as Notice No. 67-10. Many comments were received in response to the Notice. Generally, the comments were favorable and recommended adoption of the proposed amendments, frequently with minor changes or additional suggestions. Due consideration was given to all comments received.

A number of comments pointed out that there are several small turboprop airplanes that make less noise than reciprocating-engine airplanes of comparable size. These comments objected to classifying airplanes on the basis of a design factor that may not necessarily be associated with the problem. While it is true that some light turboprop airplanes produce less noise than reciprocating-engine airplanes of a comparable size, studies have indicated that, generally, reciprocating-engine airplanes are less objectionable from a noise standpoint than turbine-powered airplanes. It would be impracticable to specify, by regulation, which airplanes within the light turbine-powered category should comply with noise abatement regulations, and which should be excluded. Since application of this rule to all turbine-powered airplanes would not impose an undue burden on light turboprop airplanes, and since the proposed application would not compromise aviation safety, it is determined that the rule should apply to all large, and all turbinepowered airplanes.

A number of commentators, and particularly the Aircraft Owners and Pilots

Association, questioned the safety inherent in a requirement to have small reciprocating-engine airplanes, including those piloted by relatively inexperienced noninstrument pilots, follow the ILS glide slope when approaching to land on an ILS runway. The ILS glide slope approach is an instrument approach procedure which VFR pilot may not be competent to execute. It was suggested that requiring these pilots to divert their attention to instruments inside the cockpit, when their full attention should be concentrated outside the cockpit to avoid other traffic, would increase the collision hazard in the vicinity of airports and would contribute little to the noise abatement program. It was recommended that this provision be limited to large airplanes and turbine-powered airplanes. There is merit in this suggestion and the amendment as adopted herein has been modified accordingly.

The Department of the Air Force commented that it uses two traffic pattern altitudes separating conventional and turbine-powered aircraft by 500 feet. It was suggested that combining the traffic pattern altitudes would cause an unsafe mixture of fast and slow aircraft, and that the climb provision would expose aircraft on overhead approaches to departing aircraft climbing rapidly to 1,500 feet. It was requested that some latitude be allowed in the establishment of traffic patterns. These problems are primarily applicable to military airports and it would be impracticable to design the general rule to accommodate these exceptional cases. Moreover, all necessary latitude can be provided through an ATC authorization. Therefore, it is deter-mined that a change in the proposed rules is not required to satisfy the military requirements.

As proposed in the notice, § 91.87(f) (2) prescribes certain climb requirements applicable "unless otherwise required by noise abatement departure procedures " " Since many departure procedures are not related to noise abatement, and since the present language of § 91.87(f) (2) refers to "departure procedures," no purpose is served by the change of language and the phrase as it presently appears in the part is retained.

The Airport Operators Council International opposed the proposed rescission of the requirement for a written pilot report when a pilot uses a runway other than the assigned preferential runway, feeling that no portion of the preferential runway system procedures should be relaxed. However, rescission of the reporting requirement was generally supported by other comments, and, for the reasons stated in the notice § 91.87(g) is amended accordingly. In addition, editorial changes have been made in the section to more clearly identify this runway use provision as a noise abatement measure.

In consideration of the foregoing, paragraphs (d), (f)(2), and (g) of § 91.87 of the Federal Aviation Regula-

tions are amended, effective December 4, 1967, as hereinafter set forth.

- § 91.87 Operation at airports with operating control towers.
- (d) Minimum altitudes. When operating to an airport with an operating control tower, each pilot of—
- (1) A turbine-powered airplane or a large airplane shall, unless otherwise required by the applicable distance from cloud criteria, enter the airport traffic area at an altitude of at least 1,500 feet above the surface of the airport and maintain at least 1,500 feet within the airport traffic area, including the traffic pattern, until further descent is required for a safe landing;
- (2) A turbine-powered airplane or a large airplane approaching to land on a runway being served by an ILS, shall, if the airplane is ILS equipped, fly that airplane at an altitude at or above the glide slope between the outer marker (or the point of interception with the glide slope, if compliance with the applicable distance from clouds criteria requires interception closer in) and the middle marker; and,
- (3) An airplane approaching to land on a runway served by a visual approach slope indicator, shall maintain an attitude at or above the glide slope until a lower altitude is necessary for a safe landing.

However, subparagraphs (2) and (3) of this paragraph do not prohibit normal bracketing maneuvers above or below the glide slope that are conducted for the purpose of remaining on the glide slope.

1) . . .

(2) Unless otherwise required by the departure procedure or the applicable distance from clouds criteria, each pilot of a turbine-powered airplane and each pilot of a large airplane shall climb to an altitude of 1,500 feet above the sur-

face as rapidly as practicable. (g) Noise abatement runway system. When landing or taking off from an airport with an operating control tower, and for which a formal runway use program has been established by the FAA, each pilot of a turbine-powered airplane and each pilot of a large airplane, assigned a noise abatement runway by ATC, shall use that runway. However, each pilot has final authority and responsibility for the safe operation of his airplane and if he determines in the interest of safety that another runway should be used, ATC will assign that runway (air traffic and other conditions permitting).

(Sec. 307 and 313(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on October 30, 1967.

WILLIAM F. McKEE, Administrator.

[F.R. Doc. 67-13051; Filed, Nov. 3, 1967; 8:47 a.m.]

SUBCHAPTER F-AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 8491, Amdt. 567]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for

making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport antihorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for on route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums				
From-	То-	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than	
					65 knots or less	More than 65 knots	2-engine, more than 65 knots	
All directions	AWK RBn	Direct	1500	T-dn	300-1 500-1 800-2	300-1 500-1 800-2	200-14 500-11/2 800-2	

Procedure turn N side of crs, 695° Outbind, 275° Inbad, 1500′ within 10 miles.

Minimum altitude over facility on final approach crs, 700′. Descend to 514′ on crs, 275° within 2.2 miles.

Contact must be established with shoreline 2.2 miles W of facility and flight to airport made under visual conditions.

Crs and distance, facility to airport, 190°—1.4 miles.

It visual contact not established upon descent to authorized landing minimums or if landing not accomplished, 2.2 miles W of AWK RBn, climb to 1500′ on crs, 275° within

MSA within 25 miles of facility: 000"-360"-1500".

State, Wake Island; Airport name, Wake Island; Elev., 14'; Fac. Class., HHW; Ident., AWK; Procedure No. NDB (ADF)-1, Amdt. Orig.; Eff. date, 4 Nov. 67

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read;

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Boxings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in mantical miles unless otherwise indicated, except visibilities which are in statute miles.

If a instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure, such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches thall be made over specified routes. Minimum altitudes shall correspond with those established for an route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums				
Prota-	То-	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than	
					65 knots or less	More than 65 knots	2-engine, more than 65 knots	
All directions R 180°, XWI VORTAC clockwise B 260°, XWI VORTAC counterclockwise I0-enlie DME Fix R 280°, XWI VORTAC.	R 280°, XWI VORTAC	Direct	1500 1500 1500 514	T-dn. C-dn. B-dn-10. A-dn.	500-1	300-1 500-1 500-1 800-2	200-34 800-134 800-1 800-2	

Procedure turn 8 side of crs. 2807 Outbud, 1007 Inbud, 1500' within 10 miles.

Minimum altitude over facility on final approach crs. 514'.

Forlity on airport. Crs and distance, breakoff point to runway, 096"—0.2 mile.

It wastal contact not established upon descent to authorized landing minimums or if landing not accomplished over XWI VORTAC, climb to 1500' on XWI R 100° within

MSA within 25 miles of facility: 000"-360"-1500'.

State, Wake Island; Airport name, Wake Island; Elev., 14'; Foc. Class., VORTAC; Ident., XWI; Procedure No. VOR Runway 10, Amdt. Orig.; Eff. date, 4 Nov. 67

VOR STANDARD INSTRUMENT APPROACH PROCEDURE-Continued

Transition				Celling and visibility minimums			
From-	То	Course and distance	Minimum attitude (feet)	Condition	2-engine or less		More than
					65 knota or less	More than 65 knots	2-engine, more than 65 knots
All directions R 360° XWI VORTAC clockwise R 180° XWI VORTAC counterclockwise. 10-mile DME Fix, R 092° XWI VORTAC	XWI VORTAC R 002° XWI VORTAC R 002° XWI VORTAC XWI VORTAC (final)	Direct Via 10-mile DME Arc. Via 10-mile DME Arc. Direct	1500 1500 1500 514	T-dn	300-1 500-1 500-1 800-2	300-1 500-1 500-1 800-2	200-14 500-14 500-1 800-2

Procedure turn N side of crs, 062° Outbad, 272° Inbad, 1500' within 10 miles.

Minimum altitude over facility on final approach crs, 514'.

Facility on airport. Crs and distance, breakoff point to runway, 276°—0.2 mile.

If landing not accomplished over XWI VORTAC, climb to 1500' on XWI R 272° with 20 miles. MSA within 25 miles of facility: 000°-300°-1500′.

State, Wake Island; Airport name, Wake Island; Elev., 14'; Fac. Class., VORTAC; Ident., XWI; Procedure No. VOR Runway 28, Amdt. Orig.; Eff. date, 4 Nov. 97 These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601, of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on October 23, 1967.

W. E. ROGERS, Acting Director, Flight Standards Service.

[F.R. Doc. 67-12643; Filed, Nov. 3, 1967; 8:45 a.m.]

Title 16—COMMERCIAL **PRACTICES**

Chapter I—Federal Trade Commission SUBCHAPTER D-TRADE REGULATION RULES

PART 413-FAILURE TO DISCLOSE THAT SKIN IRRITATION MAY RESULT FROM WASHING OR HANDLING GLASS FIBER CURTAINS AND DRAP-ERIES AND GLASS FIBER CURTAIN AND DRAPERY FABRICS

Extension of Effective Date

The Commission has extended the effective date of the Trade Regulation Rule Relating to Failure To Disclose That Skin Irritation May Result From Washing or Handling Glass Fiber Curtains and Draperies and Glass Fiber Curtain and Drapery Fabrics from January 2, 1968 to July 1, 1968.

Approved: November 1, 1967.

By the Commission.

[SEAL]

JOSEPH W. SHEA. Secretary.

[F.R. Doc. 67-13137; Filed, Nov. 3, 1967; 8:50 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I-Bureau of Customs, Department of the Treasury [T.D. 67-258]

PART 10-ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

Public International Organizations Entitled to Free-Entry Privilege

By Executive Order 11372, signed September 18, 1967, the President has designated the Lake Ontario Claims Tribunal as an international organization entitled to enjoy certain privileges, exemptions, and immunities conferred by the International Organizations Immunities Act of December 29, 1945.

The list of public international organizations currently entitled to free-entry privileges in § 10.30a(a) of the Customs Regulations is, therefore, amended by inserting in the proper alphabetical order the following:

§ 10.30a Organizations included.

(a) · · ·

Organization	Executive order	Date		
Lake Ontario Claims Tribunal	11372	Sept. 18, 1967		

(80 Stat. 379, R.S. 251; 5 U.S.C. 301, 19 U.S.C.

[SEAL] EDWIN F. RAINS, Acting Commissioner of Customs.

Approved: October 26, 1967.

TRUE DAVIS, Assistant Secretary of the Treasury.

[F.R. Doc. 67-10323; Filed, Nov. 3, 1967; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I-Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B-FOOD AND FOOD PRODUCTS

PART 120-TOLERANCES AND EX-**EMPTIONS FROM TOLERANCES FOR** PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODI-

O,O-diethyl O-(2-isopropyl-4-methyl-6-pyrimidinyl) Phosphorothicate

A petition (PP 7F0576) was filed with the Food and Drug Administration by Geigy Chemical Corp., Ardsley, NY 10502, proposing the establishment of tolerances for residues of the insecticide O,O-diethyl O-(2-isopropyl-4-methyl-6pyrimidinyl) phosphorothicate in or on raw agricultural commodities as follows: Bananas at 0.2 part per million; and asparagus, safflower, sunflower, and watercress at 0.75 part per million. The petitioner also proposes that the tolerances on grapefruit, oranges, and lemoni be extended to all citrus.

Subsequently the petitioner withdres the request for tolerances regarding asparagus, safflower, and sunflower and specified that in the case of bananas not more than 0.1 part per million of the insecticide shall be present in the pulp after peel is removed.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which the tolerances are being established.

Based on consideration given the data submitted in the petition, and other relevant material, the Commissioner of Food and Drugs concludes that the tolerances established in this order will protect the public health. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d) (2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated by him to the Commissioner (21 CFR 2.120), § 120.153 is amended by revising the eighth paragraph and by adding a new paragraph to the end of the section, as follows:

§ 120.153 Tolerances for residues of 0. O-diethyl O-(2-isopropyl-4-methyl-6pyrimidinyl) phosphorothicate.

0.75 part per million in or on apples apricots, beans (snap), beet roots, beet tops, blackberries, blueberries, boysenberries, broccoli, cabbage, carrots, cauliflower, celery, cherries, citrus, collards, corn (kernels and cob with husks removed), cranberries, cucumbers, desberries, endive (escarole), figs, grapes,